UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,031	08/18/2003	Raymond Robert Patch	MSFT-1956/303857.1	3222

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EXAMINER
VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
2178	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/643,031	PATCH ET AL.
	Examiner	Art Unit
	Gregory J. Vaughn	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _06 February 2007_.

2a)☐ This action is **FINAL.** 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Application Background

1.   This action is responsive to the Request for Continued Examination, filed
on 2/6/2007.

2.   Applicant has amended claims 1-15, 18-21 and 24; and added new claims
26-28.

3.   Claims 1-28 are pending in the case, claims 1, 10, 18, 21 and 26 are
independent claims.

4.   A request for continued examination filed under 37 CFR 1.114, including
the fee set forth in 37 CFR 1.17(e), was filed in this application after a final
rejection. Since this application is eligible for continued examination under 37
CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the
finality of the previous Office Action (dated 9/8/2006) has been withdrawn
pursuant to 37 CFR 1.114.

5.   The examiner's rejection of claims 1-25, made under 35 USC 101, as
recited in the previous office action (dated 9/8/2006) are withdrawn in view of
the amendments and applicant's remarks. However, new grounds of rejection
are described below.

6.   The examiner's rejection of claims 1, 10, 13, 18, 21 and 24, made under

35 USC 112, as recited in the previous office action (dated 9/8/2006) are

withdrawn in view of the amendments.

7.   The examiner's rejection of claims 1-6, 8-12, 14-23 and 25, made under

35 USC 102, as recited in the previous office action (dated 9/8/2006), are

withdrawn in view of the amended claims. However, new grounds of rejection

are described below.

8.   The examiner's rejection of claims 7, 11 and 24, made under 35 USC 103,

as recited in the previous office action (dated 9/8/2006), are withdrawn in view

of the amended claims. However, new grounds of rejection are described

below.

Claim Rejections - 35 USC § 101

9.   35 U.S.C. 101 reads as follows:

"Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title."

10.   Claims 21-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

11.   **Regarding Claims 21-25,** the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of § 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such they fail to fall within a statutory category. They are, at best, functional descriptive material, *per se*.

Claim Rejections - 35 USC § 102

12.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in

this Office action:

> *"A person shall be entitled to a patent unless –*
>
> *(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States."*

13.   Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by

Elmore et al., US Patent Publication 2006/0059107, filed 3/30/2001,

published 3/16/2006 (hereinafter Elmore).

14.   **Regarding independent claim 1**, Elmore discloses validating markup

language text. Elmore discloses his invention as an e-business online

commerce solution (see paragraph 4), where the online solution is provided

using markup language (see paragraphs 38, 39, 66, 69, 103, 104 106 etc. for

examples of how the invention is implemented using HTML and XML). Elmore

discloses validating the markup text. Elmore recites: "*The interconnect*

service EJB provides an interface that the activity smart components use to

access external systems 110. Messages that contain information for external

systems 110 are sent from the eBusiness support system through a particular

type of communications messaging interface (CMI) 105. Examples of these

CMI types include credit card validation, address validation, and service

reservation, etc" (paragraph 65).

Elmore discloses the use of validation delegates. Elmore recites: "*Integration Layer 102, through which Smart Components 104 access external systems 110. The interconnect service within this layer uses communications messaging interfaces (CMIs) 105 and adapters 106/107 to transport messages. The CMIs are pre-defined interfaces to common services (e.g. rating, address validation, service reservation, etc.) needed to complete client requests for customer, pre-order, order, and post order transactions. The EAI Adapters 106 provide the flexibility to integrate with an EAI package 109. These adapters are configurable software interfaces for different EAI packages, such as Vitria BusinessWare or BEA eLink. Other adapters are also available*" (paragraph 37).

Elmore discloses validation tables in the form of libraries. Elmore recites: "*JavaScript Libraries. The JavaScript libraries are used for client-side validation. js_validation. js provides JavaScript methods for validating data to submit to the server. For example, it is used to verify that the required fields are filled in by the user. Client-side validation should be used in conjunction with server-side validation. The former is not a replacement for the later. Although client-side validation may enable a better user experience by performing validation on the fly, it exposes the application to security risks from users who could bypass the JavaScript and submit erroneous data to the database. The JavaScript libraries are also used for input and form submit manipulation. js_common.js provides javaScript methods for setting request*

parameters and passing variables and values to the server" (paragraphs 125-127).

Elmore discloses validating text by using validation delegates and validation tables, as described above. Elmore discloses a plurality of elements, related to each other in a tree representation, where there exist roots and subtrees of elements in figure 12.

15.   **Regarding dependent claims 2, 3, 6 and 9**, Elmore discloses determining if a validation table contains no validation delegates (claim 2), identifying and executing a third validation delegate (claim 3), making a validation decision (claim 6) and validating text (claim 9). Elmore discloses Business Rule Adapters in Figure 1 at reference sign 107. Business rule adapters specify the determining, identifying, decision-making and validating required for the specific business problem being solved.

16.   **Regarding dependent claims 4 and 7**, Elmore disclose the use of flags to implement the business logic of the ecommerce interface – see paragraphs 72, 87 and 89 for some examples).

17.   **Regarding dependent claim 5**, Elmore discloses a plurality of validation tables, as described above (described as a plurality of libraries).

18.   **Regarding dependent claim 8**, Elmore discloses the delegates as interpretable code – see the code listing after paragraph 64.

19.   **Regarding claims 10-28**, the claims are directed toward a method,

system and computer readable media for the computer-readable medium of

claims 1-9, and are rejected using the same rationale.

Response to Arguments

20.   Applicant's arguments with respect to claims 1-28 have been considered

but are moot in view of the new ground(s) of rejection, as described above.

Conclusion

21.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Gregory J. Vaughn whose telephone

number is (571) 272-4131. The examiner can normally be reached Monday to

Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124.

The fax phone number for the organization where this application or

proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
Patent Examiner
April 29, 2007